



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,321	12/03/2003	Oliver Keren Ban	AUS920030787US1	6222
25299	7590	09/12/2007		
IBM CORPORATION PO BOX 12195 DEPT YXSA, BLDG 002 RESEARCH TRIANGLE PARK, NC 27709			EXAMINER SIKRI, ANISH	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 09/12/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,321

Applicant(s)

BAN, OLIVER KEREN

Examiner

Anish Sikri

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 July 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 12/03/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement submitted on 12/03/2003 been considered by the Examiner and made of record in the application file.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims **1-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over Krause (US Pub 20050280568), in view of Lacy et al (US Pub 20040205485), and in further view of Karim (US Pub 20030217108).

Consider **Claim 1**, Krause discloses a communication network where a user access via a plurality of data processor controlled interactive display terminals for sending and receiving broadcasting packets (Krause, Pg 7 [0076]), means for temporarily storing broadcasting payload (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]), means for temporarily stripping the broadcasting payload from the broadcasting packet (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]); means for transmitting the coded header of the broadcasting packet to the receiving server via the broadcasting router (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]); means for transmitting the broadcasting payload to its coded header in the receiving server via the broadcasting router (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]);

But Krause fails to disclose that an electronic document distribution system for routing broadcasting packets from a sending server to a receiving server.

Nonetheless, Karim discloses an electronic document distribution system for routing broadcasting packets from a sending server to a receiving server comprising (Karim, Pg 3, [0051], [0057])

But Krause fails to disclose inside a broadcasting router as a coded header by temporarily coding the broadcasting payload to a set of symbols and means for adding the coded symbols to a header of the broadcasting packet and means for converting the

Art Unit: 2143

coded set of symbols of the broadcasting payload from its coded format to form a full broadcasting packet in the receiving server.

Nonetheless Lacy et al discloses a broadcasting router as a coded header by temporarily coding the broadcasting payload to a set of symbols (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]) and means for adding the coded symbols to a header of the broadcasting packet (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]) and means for converting the coded set of symbols of the broadcasting payload from its coded format to form a full broadcasting packet in the receiving server (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]).

Krause discloses means for temporarily replacing the stripped broadcasting payload (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]) but fails to disclose with a set of coded symbols in the broadcasting packet. Nonetheless, Lacy et al discloses coded symbols in the broadcasting packet (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]).

Therefore, it would have been obvious of ordinary skill in the art at the time of the invention was made to incorporate the use of an electronic document distribution system, taught by Karim, and with incorporating the coding of payload with coded symbol, taught by Lacy et al, in the system of Krause for the purpose of generating and distributing packets throughout the network/destination in a very efficient manner to reduce network congestion.

Consider **Claim 2**, Krause as modified by Karim and Lacy et al fails to discloses the system of claim 1 further comprising means in the document distribution system for

reducing the broadcasting payload of the broadcasting packet to a coded header of the broadcasting packet.

Nonetheless, Karim discloses the document distribution system (Karim, Pg 3, [0051], [0057]).

Nonetheless, Lacy et al discloses reducing the broadcasting payload of the broadcasting packet to a coded header of the broadcasting packet (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of an electronic document distribution system, taught by Karim, and with incorporating the coding of payload with coded symbol, taught by Lacy et al, in the system of Krause for the purpose of generating and distributing packets throughout the network/destination in a very efficient manner to reduce network congestion.

Consider **Claim 3**, Krause as modified by Karim and Lacy et al discloses the system of claim 2 further comprising means for relaying the broadcasting payload to a destination router according to its address to form the full broadcasting packet (Krause, Pg 7 [0077], Pg 10 [0094], Pg 11 [0102]).

Nonetheless, Karuse fails to disclose the means receiving the coded header of the broadcasting packet and patching the broadcasting payload that corresponds to the set of coded symbols in the coded header from storage.

Lacy et al discloses the means receiving the coded header of the broadcasting packet and patching the broadcasting payload that corresponds to the set of coded symbols in the coded header from storage (Lacy et al, Pg 1, [0008], [0011], Pg 2, [0021]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of coding header/payload with a symbol, taught by Lacy et al, in the system of Krause as modified by Karim, for the purpose of creating an efficient broadcasting payload, which is to be used in creation of a complete packet at its destination.

Consider **Claim 4**, Krause as modified by Karim and Lacy et al fails to disclose the system of claim 3 wherein said document distribution system is an electronic mail distribution system associated with electronic mail sources.

Nonetheless, Karim discloses document distribution system is an electronic mail distribution system associated with electronic mail sources (Karim, Pg 3, [0051], [0057]).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of an electronic mail distribution system, taught by Karim, in the system of Krause as modified by Lacy et al, for the purpose of communication and distributing electronic messages across the network.

Consider **Claim 5**, Krause as modified by Karim and Lacy et al fails to disclose the system of claim 3 wherein said communication network is a distributed network; said broadcasting payloads are digitized packets; and said network distribution system is a network server system.

Nonetheless, Lacy et al discloses the communication network is a distributed network; said broadcasting payloads are digitized packets; and said network distribution system is a network server system (Lacy et al, Pg 1, [0007], [0008], [0011], [0012]).

Therefore it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to incorporate the use of distributed network and digitized packets, taught by Lacy et al, in the system of Krause as modified by Karim for the purpose of having reliable communication network medium.

Claims **6-15**, have similar limitations as to claims **1-5**; therefore they are rejected under the same rational as to claims **1-5**.

Response to Amendment

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 2143

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anish Sikri whose telephone number is 571-270-1783. The examiner can normally be reached on 8am - 5pm Monday - Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Anish Sikri

a.s.

September 1, 2007


DAVID WILEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100